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Montana Department of  
**ENVIRONMENTAL QUALITY**

**LEGISLATIVE ENVIRONMENTAL  
POLICY OFFICE**

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**PUBLIC NOTICE NO. MT-14-31**  
**October 17, 2014**

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue a General Permit as described in this notice. This permit is issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA) and the Administrative Rules of Montana 17.30.1001 et seq., Montana Ground Water Pollution Control System (MGWPCS). The Water Protection Bureau has prepared a draft permit for the facility listed below. Copies of the draft permit, fact sheet, and environmental assessment are available upon request from the Water Protection Bureau or on the Department's website [www.deq.mt.gov](http://www.deq.mt.gov)

APPLICANT INFORMATION

APPLICANT:	<b>Multiple</b>
FACILITY NAME:	<b>Municipal Separate Storm Sewer System</b>
FACILITY LOCATION:	<b>Multiple</b>
RECEIVING WATER:	<b>Multiple</b>
PERMIT NUMBER:	<b>MTR040000</b>

The Municipal Separate Storm Sewer System (MS4) General Permit regulates the discharge of storm water from designated MS4s into state waters in accordance with Federal and State storm water discharge permitting requirements. To reduce the levels of pollutants in the discharge from MS4s and reduce the potential impairment of state water, permittees are required to develop, implement, and enforce a Storm Water Management Program (SWMP). The SWMP addresses six minimum control measures and implements various Best Management Practices (BMPs).

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit *Friends of the Wild Swan v. U.S. EPA, et al.*, CA 97-35-M-DWM, District of Montana, Missoula Division. The Montana Department of Environmental Quality finds that the

issuance of this proposed permit does not conflict with the order because the MS4 General Permit does not authorize a new or increased pollutant load and the facility seeking coverage under this General Permit are required under state and federal regulations through the National Pollutant Discharge Elimination System Discharge.

#### PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS November 21, 2014. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked PRIOR TO CLOSE OF BUSINESS November 21, 2014 will be considered in the formulation of final determinations to be imposed on the permit. If you wish to comment electronically, you may e-mail Barb Sharpe at [BSharpe@mt.gov](mailto:BSharpe@mt.gov).

A public hearing will be held on the draft wastewater discharge permit, the statement of basis, environmental assessment, and the Department's tentative determination at **begin at 10:00 AM on November 21, 2014, in Room 111 of the Lee Metcalf Building located at 1520 E. 6<sup>th</sup> Avenue in Helena, Montana.**

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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